

Serial No. : 08/326,737  
Filed : October 20, 1994

REMARKS

This application is a file-wrapper continuation application of application Serial No. 07/898,827. In parent application, Claims 1-14 and 17-20 stood rejected under 35 U.S.C. § 102(b) in view of Swinehart et al. ("An Experimental Environment For Voice System Development"); Claims 15-16 stood rejected under 35 U.S.C. §103 over Swinehart in view of Tannenbaum (Computer Networks, pages 292 - 295).

In the Examiner's action mailed July 20, 1994 in the parent case, the Examiner takes the position that Swinehart discloses the features set forth in Claims 1-14 and 17-20. Specifically, the Examiner takes the position that because the separate etherphone and the computer station in Swinehart are connected to the same network (necessarily via separate network interfaces), that the etherphone and the computer station communicate over the same network interface. In addition, the Examiner asserts that because the etherphone and the workstation are found next to each other, they can be considered a single unit.

With close review of the claims, the Applicant fails to understand the Examiner's position. Claim 1 sets forth, among other things, that the computer station controller executes application programs of said computer station, that the computer station controller is also coupled to the audio responsive unit to accept digitized audio data and provide audio data packets for transmission over the network, and that the computer station

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controller manages the operations of the audio communication system while other application programs are actively executing in the computer station controller. Claim 1 also sets forth that the transmission and reception of audio data is via the computer station network interface. Swinehart does not disclose the system claimed. Similar distinctions are set forth in independent Claims 8 and 17.

Amendment has also been made above to Claim 15 to distinguish over the prior art of record.

The claims are believed to be in condition for allowance, and such allowance is earnestly solicited. If any issues remain to be resolved, the Examiner is cordially invited to contact the undersigned at telephone number 714/760-0404 such that any such issues can be promptly resolved.

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR

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